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## BOOK REVIEWS

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A TREATISE ON INTERNATIONAL LAW, by Roland R. Foulke, Esq., of the Philadelphia Bar. (Philadelphia: The John C. Winston Co., vols. 2, pp. 694.)

The world is confronted today with perhaps its greatest crisis in international relations, which within the life of the next generation must undergo complete revision, not only in respect of the nature and scope of the relationships themselves, but with regard to the fundamental principles of international law upon which they have been based. For the proper performance of this task it is essential that the builders of the new system have a scientific and philosophic acquaintance with the principles underlying the system to be revised. The present reviewer knows of no work on the subject from which the reader may derive so much enlightenment on the foundations and structure of modern international law as from that now under review.

It is not easy reading: it was never intended to be. But the author's analysis of his subject is scientifically clear, leading properly and easily to the selection and discussion of the great existing legal problems that so often perplex and bewilder the ordinary student of the subject, who is not well versed in diplomatic methods and the conduct of international relations.

The statements of principles are concise and well reasoned and in many instances supported by an abundant wealth of illustration, such as would be possible only to a profound student of international law, life and conduct.

The reviewer has also been particularly impressed with the earnest insistence of the author upon a strictly scientific and correct use of words in defining the powers and obligations of nations toward one another and the limitations upon them. For example, he objects to the use of the word "right" in such phrases as "the right of legation" and "the right of intercourse", so frequently found in writings on international law. He points out that the word "right" is here incorrectly or ambiguously used in the sense of "power", and that it bears no resemblance to the "right" known to the student of municipal law, a thing capable of enforcement by a superior political power, or to the student of ethics, a thing to be determined in the council hall of conscience.

The author's conception of international law is that it is and always heretofore has been based on power, restrained by certain factors of international conduct—factors inherent in man generally and particularly in the men who year after year guide the destinies of nations—such as instincts, reason, habit, the attitude toward self-interest or toward the interests of others, and factors external to man, such as the forces of nature, the gregariousness of man, pressure from political power, etc. He ascribes very little, perhaps unduly little, influence to ethical considerations.

Hence his work revolves around the general fact that nations will

or may do anything their self-interest dictates unless and until they are brought to a halt by the "factors of international conduct", and he directs attention mainly to the restraints imposed by those factors. One looks in vain for any discussion of the "rights" or "duties" of nations: one finds only a study of the restraints imposed upon their powers.

Upon this fundamental conception is built the author's very scientific and accurate presentation of the doctrines of international law. The reader may quarrel with the foundation, but he would find it difficult to quarrel with the edifice erected upon it.

RALEIGH C. MINOR

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VANISHING LANDMARKS, by Leslie M. Shaw. (Chicago: Laird & Lee, Inc., 1919, pp. 252.)

Mr. Shaw in this edition has made a distinct contribution to contemporary literature. It is a masterpiece in both logic and diction, and will, it is hoped, be given a wide circulation. At a time when the world is sorely beset with all manner of freak governmental ideas and when even our own civilization is being covertly poisoned with the curse of Bolshevism, this work is especially opportune in its appearance. The only regret is that it will not readily fall into the hands of those people who most need its influence and instruction.

The author harks back to the Constitution and very aptly illustrates how we are falling away from a representative government to the theories and methods of a pure democracy; how the politician and the demagogue, in the name of the people, are actually leading the people away from their most cherished safeguards.

This book should be added to the curriculum in every school in which political economy is taught. Especially is it recommended to the perusal and study of lawyers, who form so great a part of our law-making bodies, and who should always make the Constitution the test of their preaching and practice.

J. R. CATON, JR.